

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA, ) No. CR-08-137-WFN-29  
 ) CR-99-091-RHW  
Plaintiff, )  
 ) ORDER DENYING DEFENDANT'S  
v. ) MOTIONS FOR RELEASE/FURLOUGH  
 )  
DANIEL ALLEN FLAHERTY, )  
 )  
Defendant. )

At the February 6, 2009, hearing on Defendant's Motion to Modify Order of Detention (**Ct. Rec. 949**) or, in the alternative, oral Motion for Furlough (**Ct. Rec. 959**), Defendant was present with counsel Joseph Nappi. Assistant U.S. Attorney Earl A. Hicks represented the United States. DEA Special Agent Thomas Sullivan testified and was cross-examined. Family members were in the courtroom in support of Defendant. Both sides argued.

The court finds there is no combination of conditions to assure Defendant is not a risk of flight and is not a risk to the community. Accordingly, Defendant's Motions (**Ct. Rec. 949, 959**) are **DENIED.**

**IT IS SO ORDERED.**

DATED February 9, 2009.

S/ CYNTHIA IMBROGNO  
UNITED STATES MAGISTRATE JUDGE